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SUBJECT: FRAUD SUMMARY - KINGSTON (OCT 08-MAR 09)

REF: A) 08 KINGSTON 000425 B) 08 KINGSTON 00091

¶11. (U) SUMMARY. In the first half of FY 2009, Kingston's Fraud Prevention Unit (FPU) focused on IV relationship fraud and enhancing cooperation with our partners at the British and Canadian High Commissions and the law enforcement community within the Embassy. During the past two quarters, FPU attended a half-day joint conference for the fraud units of the U.S., British, and Canadian Missions; trained 69 airline representatives on fraudulent document detection; and implemented additional processes to prevent criminals from obtaining visas. FPU received 219 Nonimmigrant Visa (NIV) cases, 28 new Immigrant Visa (IV) cases, six ACS cases, and 280 external requests (database checks from DHS, airlines, local immigration, etc.). FPU processed an additional 313 walk-in cases and entered 1,016 CLASS records based on I-275 turn around reports, information from other agencies and other tips. Of all the NIV cases referred, 33% of IV cases were confirmed fraud and 9.6% of the NIV cases were confirmed fraud. END SUMMARY

COUNTRY CONDITIONS

¶12. (SBU) Jamaica, located 550 miles south of Florida, has a population estimated to be 2.8 million and a 2008 GDP of USD 13 billion. A high-level government official has told us that the government has no confidence in population estimates because there is nothing comparable to a social security number or national identification number. The government suspects that the population may be significantly higher. Independent since 1962, Jamaica is a member of the British Commonwealth with a constitutional parliamentary democracy with relatively high literacy rates, an outspoken and vibrant press, and an open market economy. Two parties, both originating from labor movements, dominate the political scene: the Jamaica Labor Party, elected in 2007 and led by Prime Minister Bruce Golding, and the Peoples National Party.

¶13. (SBU) Jamaica is a major producer of marijuana ("ganja") for the U.S. market. Jamaica is also routinely exploited as a narcotics transshipment hub with an estimated 20-25% of the cocaine that reaches the United States transiting the country or its territorial waters. Jamaica is also a significant transit hub for other contraband, particularly weapons smuggling in the form of a robust guns for drugs trade with Haiti. The Department rates the crime threat as critical. Depressed economic conditions and the presence of the drug trade contribute to civil unrest and criminal activity, including significant visa and citizenship fraud. Illegal migration, transnational crime, economic inertia, and a formidable HIV/AIDS presence adversely affect U.S. national security, economic, democracy, and other strategic interests.

¶14. (U) Jamaica's proximity to the U.S. mainland and well-developed sea lanes and air links facilitate the movements of over two million

travelers, including well over one million American tourists annually between the United States and Jamaica. An estimated 24,100 U.S. citizens reside in Embassy Kingston's consular district, which includes the Cayman Islands. Kingston's Consular Section supports consular agents in Montego Bay and the Cayman Islands.

¶15. (SBU) The incidence of suspected fraud in many government agencies is high. Visa applicants often submit forged or altered birth, marriage, and police certificates. Transparency International's annual index of corruption, announced 25 September 2008, showed Jamaica falling 12 places (from 84 to 96) during 2008 on the list of 180 countries surveyed.

NONIMMIGRANT VISA FRAUD

¶16. (SBU) H-2B PETITION FRAUD: Post has seen a number of incidences of suspicious H2B petitions with Victor Krus listed as the agent. Victor Krus and Dzmitry Krasautsau are the subjects of a criminal investigation for smuggling unauthorized aliens and visa fraud. Many of the unauthorized aliens were from Jamaica, Brazil and various Eastern European countries.

¶17. (U) NIV DUAL IDENTITY CASE: A female imposter was recognized during pre-screening for her NIV interview as having had another identity other than that on her visa application. Shawna Ann Williams returned to the embassy under the name Francine Natasha Minto after a visa refusal. The pre-screener remembered Ms. Williams from her prior NIV interview.

¶18. (U) J-1 SUMMER WORK AND TRAVEL PROGRAM: We continue to subject applicants for this program to pre-interview checks to verify post-secondary school enrollment. Summer work and travel validation studies and outreach are a priority for post. We plan to complete a validation study of this group in the next quarter. In March, the FP Operations Officer attended a conference on the summer work and travel program in Washington, D.C. to collaborate with our counterparts world-wide on fraud trends and best practices.

¶19. (SBU) H-1B PETITION REVOCATIONS: In the second quarter of 2009, Kingston sent two H-1B petitions to USCIS for revocation. An additional H-1B applicant withdrew her application after learning that her immigration consultant was connected with fraudulent H-1B employment in the U.S.

¶110. (SBU) In the first case, the applicant presented falsified documents during her 2005 H-1B visa interview and was issued the visa. The applicant admitted to the FPM during her renewal visa interview in April 2008 that her supposed employer, Eden House Foundation of Atlanta, did not exist. She further admitted that she had been working illegally as a practical nurse in New York for the past three years. She also admitted that Ms. Sharon Lee of U.S.-based immigration consultant Taylor Lee & Associates in Miami, Florida had provided her with a cover story and had prepared her for her initial interview in exchange for a significant fee. This case was investigated for ties to a larger fraud ring and the petition revocation was submitted this quarter.

¶111. (SBU) In the second case, the applicant grossly exaggerated her experience as Managing Director of a wholesale operation in order to supplement three years of university education. In actuality, the applicant worked at her mother's grocery store and was related to most of the employees. The applicant's job letter asserted a list of duties that she performed, but the applicant was unable to explain how she carried out her duties. In some cases, the applicant directly contradicted her job letter. For example, according to her job letter, the applicant researched and coordinated on all local insurance policies and liability matters. When asked about this process, the applicant answered that she calls her stepfather and asks him to call insurance companies.

¶112. (SBU) L-1A PETITION REVOCATION: In the second quarter of 2009, Kingston sent one L-1A petition to USCIS for revocation. The applicant tied to the L-1A revocation had never made a payment on the lease submitted to USCIS six months earlier. Additionally, FPU could not find contact information for the owner listed on the lease agreement. As a result, post believes that the lease was fraudulent

and that the applicant had not established sufficient physical premises to house the new office.

IMMIGRANT VISA FRAUD

¶13. (U) FPU staff conducted six field investigations on seventeen immigrant visa cases between November 2008 and February 2009. Two of the Unit's LES Fraud Investigators and an entry level officer participated in these trips. The field trips covered six of Jamaica's parishes [local administrative unit equivalent to a U.S. county] and resulted in the completion of eleven immigrant visa case investigations, of which five were determined to be based on a fraudulent relationship. FPU plans to continue to organize these field trips bimonthly.

¶14. (U) Kingston has encouraged (but not required) many applicants in romantic relationship cases (IR1, CR1, K1, K3) who do not immediately convince the adjudicating officer of the bona fides of their relationships to bring petitioners to their follow-up interviews. The higher percentage of petitioners present at follow-up interviews has improved the officers' ability to detect relationship fraud. Also, FPU's LES investigators have conducted more "split" interviews of the petitioner and applicant in recent months, applying their wealth of local knowledge and years of experience to garner more confessions of relationship fraud and saving adjudicating officers interview time. These successful "split" interviews also save FPU time and resources by reducing the number of local field investigations required to complete fraud reviews of questionable immigrant visa cases.

DV FRAUD

¶15. (U) Jamaicans are not eligible to participate in the DV program. Kingston processes only a minuscule number of cases for applicants from other countries.

AMERICAN CITIZEN SERVICES AND PASSPORT FRAUD

¶16. (U) U.S. PASSPORT FRAUD: In January 2009, Jamaican immigration officials notified ARSO-I of an individual believed to be carrying a photo-subbed U.S. passport in an attempt to board a flight from Montego Bay to the United States. The subject was interviewed after immigration officials noticed fraudulent indicators on the passport, during which he claimed he was born in Florida and possessed a genuine U.S. passport. After verifying the passport information in the CCD, ARSO/I discovered the passport was issued to a person of a different name and date of birth. The individual was arrested and charged with presenting false documents.

ADOPTION FRAUD

¶17. (U) FPU regularly investigates adoption cases where the applicant's orphan status is uncertain. There has been an increase in cases referred to FPU, with most applicants adopted close to their sixteenth birthday. Nine cases were referred to FPU between October 2008 and February 2009, with one case including two children adopted by the same petitioner. This case is currently being investigated. Jamaica has a tradition of "informal" adoptions, which makes it difficult for Jamaican applicants to establish their eligibility as orphans under U.S. law. Often, an applicant's relatives in the United States will adopt the applicant, despite the fact that the applicant does not qualify as an orphan. FPU conducts regular field investigations to the applicants' homes in order to determine who is caring for the applicant and whether the family meets the poverty definitions of the INA.

USE OF DNA TESTING

¶18. (U) Kingston processes a high volume of cases where DNA testing is recommended. It is common in Jamaica for fathers not to be listed on their children's birth certificate, or for the father or child's name to be added later, with little or no supporting documentation provided proving the relationship at the time the name is added. As a result, the biological relationship of IV and ACS applicants is often questionable. Approximately 20% of all cases where DNA is done resulted in no biological relationship.

ASYLUM AND OTHER DHS BENEFITS FRAUD

¶19. (U) Post's DHS/USCIS Officer-in-Charge reported no asylum cases for the period of September 2008 - March 2009.

ALIEN SMUGGLING, TRAFFICKING,

ORGANIZED CRIME, TERRORIST TRAVEL

¶20. (U) FPU and ARSO-I work closely with law enforcement counterparts within the embassy and maintain a monthly collaboration meeting to foster greater information sharing. The Department of Homeland Security Immigration and Customs Enforcement is the primary agency at post that handles alien smuggling and trafficking cases. Organized crime and terrorist travel are addressed in conjunction with several law enforcement agencies at post and include FPU and ARSO-I on issues as they arise.

DS CRIMINAL FRAUD INVESTIGATIONS

¶21. (U) THREE NIV APPLICANTS ARRESTED: Three NIV applicants were arrested outside the U.S. Embassy after LES process facilitators witnessed the applicants collecting fraudulent documents from well known document vendors. Coordination with the Consular Section's process facilitators, FPU, ARSO-I and the Jamaican Constabulary Force led to the arrests. All three subjects were fingerprinted, interviewed and arrested after admitting to the ARSO-I that they had purchased fraudulent employment letters, bank statements and mortgage letters prior to the NIV interviews.

HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS,

AND CIVIL REGISTRY

¶22. (U) Document forgers, corrupt government officials and poor law enforcement assist alien smuggling rings operating in the country. The incidence of suspected fraud in many government agencies is high. The Jamaican government (GOJ) has issued a secure passport, but issuance procedures are poor and a new identity complete with a GOJ issued passport continues to be easy to attain.

COOPERATION WITH HOST GOVERNMENT AUTHORITIES

¶23. (U) FPU continues to have an outstanding working relationship with the Jamaican Registrar General's Department (RGD) verifying civil documents. All cases involving altered RGD documents continue to be referred to the RGD's fraud department, regardless of whether the fraud would result in potential visa ineligibilities. This new system allows the RGD to attempt to pinpoint the sources of these fraudulent documents, thereby resulting in the arrests of all responsible individuals.

¶24. (U) FPU continued our public outreach efforts with airline and immigration officer training in November. FPU trained approximately 69 new airline representatives on the detection of fraudulent documents, facial recognition and U.S. travel document requirements.

COOPERATION WITH OTHER MISSIONS

¶25. (SBU) Cooperation with our colleagues at the British and Canadian High Commissions is one of FPU's highest priorities. All three Missions face common fraud threats, so it is clear that we can each target fraud more effectively through communication and information sharing. FPU attended a conference at the Canadian High Commission with fraud officers from the French and Germany Embassies, and from the British and Canadian High Commissions. The conference was a continuation of the meeting we hosted in the third quarter of 2008, and focused on information sharing, fraud trends and detection techniques, and a discussion to finalize the memorandum of understanding in order to share deportee lists. The conference was largely a success, as we now distribute information on dangerous criminals found in media briefs between the respective missions. The British High Commission presented an overview of their risk assessment unit, while we presented an overview of fingerprint mutilation. Both presentations sparked lively debate about identity theft and the economy's affect on fraud trends. FPU, in conjunction with our British and Canadian partners, plans to make the conference a quarterly event.

AREAS OF PARTICULAR CONCERN

¶26. (U) Post has recently seen an increase in H2B agents petitioning for applicants to go to worksites (in particular, hotels) where there is not sufficient work for them. The most recent example came to the attention of Post by the US Consulate in Monterrey. Kingston had been adjudicating a petition from GB Capital. Monterrey noted that both the owner of GB and their lawyer contacted them directly stating that the workers were required but when Monterrey FPU spoke to the hotel, they confirmed that the workers were not required and that in fact had been laying off workers due to the economic downturn. Post plans to continue to work with Monterrey on this and other H2B cases.

STAFFING AND TRAINING ISSUES

¶27. (U) The Fraud Prevention Operations Officer position has been filled by Katherine Rafaniello, replacing Christiana Foreman who left post in February. Melissa Bishop remains as the Fraud Prevention Manager, in addition to her duties as the Deputy Chief of the Visa Unit, with primary responsibility for NIV operations. In February, Mrs. Rafaniello attended the Fraud Prevention for Managers course at FSI. Two new FPU FSN positions have been classified through the CAJE system and post expects to fill the positions within the next month. The current FPU FSN positions have been "re-CAJEd", resulting in a promotion of all three FSNS.

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